(60)

29/11/07

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(C) NO. 6904/2007

PETITIONER Shyam Lal Dhankar, Aged about 54 years, S/o. Shri Dhirpal Dhankar, R/o. Village Rajoli, Tahsil Gunderdehi, Distt. Durg (CG)

Vs.

RESPONDENTS

1. State of Chhattisgarh, Through The Secretary, Forest Department, D.K.S.Bhawan, Raipur (CG)
2. Divisional Forest Officer, Durg Circle Durg(CG)
3. Appellate Authroity & Conservator of Forest, Durg Circle, Distt. Durg (CG)
4. The Tahsildar, Gunderdehi, District Durg (CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

(SB: Hon'ble Mr. **Satish K. Agnihotri, J.)**

Shri D.N.Prajapati, counsel for the petitioner.
Shri Arvind Dubey, Panel Lawyer for the State.

ORAL ORDER

(Passed on this 28TH day of November 2007)

1. The petitioner, by this petition impugns the order dated 24.10.2007 dismissing the appeal passed by the Appellate Authroity-Conservator of Forest, Circle Durg, Durg, wherein the renewal of the license to install and run saw -mill on Khasra No. 69/2 at village Rajoli, Tahsil Gunderdehi was under consideration.

2. The Appellate Authority found that the petitioner had installed the saw-mill not at the allotted place i.e. Khasra No. 69/2 (old number) new number 137 but on Khasra No. 141, therefore the appeal of the petitioner was dismissed, as the dispute with regard to the

installation of saw-mill on some other place was pending consideration before Tahsildar, Gunderdehi. Learned counsel has pointed out certain reports indicating that this is not correct. The petitioner has installed the licensed saw mill at the same place.

3. It is not disputed by the learned counsel for the petitioner that the dispute is pending consideration before Tahsildar.

4. Be that as it may, the question with regard to installation of saw mill at the allotted place, cannot be decided by this Court. The order passed by the Appellate Authority-Conservator of Forest (Annexure P/1) does not suffer from any irregularity, perversity or illegality.

5. Thus, no interference is warranted. Accordingly the petition is dismissed.

Sd/-
Satish K. Agnihotri
Judge

Suguna